

TEXAS TRANSPORTATION COMMISSION

Various Counties

MINUTE ORDER

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Various Districts

Transportation Code, §201.206, authorizes the Texas Department of Transportation (department) to accept a donation in any form, including realty, personalty, money, materials, and services, for the purpose of carrying out its functions and duties. Government Code, Chapter 575, requires the governing board of a state agency to acknowledge the acceptance of a donation valued at \$500 or more by majority vote at an open meeting, not later than the 90th day after the date the donation is accepted. It also prohibits a state agency from accepting a donation from a person who is a party to a contested case before the agency until the 30th day after the date the decision in the case becomes final.

The Texas Transportation Commission (commission) has adopted 43 TAC §§1.500-1.506, which relate to the department's acceptance of donations. Section 1.503 authorizes the executive director to approve acceptance of donations to the department and requires that donations valued at \$500 or more must be acknowledged by order of the commission not later than the 90th day after the date the donation is accepted by the department. It further prohibits acceptance of a gift or donation when the donor is subject to department regulation or oversight or when the donor is interested in or likely to become interested in any contract, purchase, payment, or claim with or against the department, except as provided by that section. It also provides that the executive director may approve the acceptance of a donation, notwithstanding the foregoing proscriptions in the rules, if the executive director determines that acceptance would provide a significant public benefit and would not influence or reasonably appear to influence the department in the performance of its duties.

Transportation Code, §223.049 authorizes the department to contract with an owner of land adjacent to a highway that is part of the state highway system to construct an improvement on the highway right of way that is directly related to improving access to or from the owner's land. Exhibit A lists donations resulting from a contract executed by the department under Transportation Code, §223.049 and other donations accepted under Transportation Code, §201.206.

The commission established the Sponsorship Acknowledgement Program under 43 TAC Chapter 12, Subchapter K. The program, which is authorized by the Federal Highway Administration in FHWA Order 5610.1A, allows the department to place signs acknowledging donations made to the department to fund transportation related services. Exhibit B lists donations made to the department under the Sponsorship Acknowledgement Program.

The executive director has determined that the donations identified in the attached exhibits comply with the applicable provisions of 43 TAC §§1.500-1.506, 43 TAC §12.353, Government Code, Chapter 575 and Transportation Code, §201.206, §223.049 and §224.001, and has approved acceptance of those donations. All required donation agreements have been executed under 43 TAC §1.504 and §1.506, as applicable.

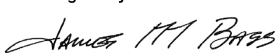
IT IS THEREFORE ORDERED by the commission that it acknowledges the acceptance of the donations identified in the attached Exhibits A and B.

Submitted and reviewed by:

Recommended by:

DocuSigned by:

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Director, Contract Services Division

DocuSigned by:

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Executive Director

116006 April 29, 2021

Minute	Date
Number	Passed

**EXHIBIT A
DONATIONS
April 29, 2021**

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
1.	Formosa Plastics Corporation, Texas	Yoakum District	Jackson	The donor is donating an amount sufficient to cover the state's cost to construct a left turn lane, deceleration and acceleration lane, and signal for public use on FM 1593 at the parking lot driveway of the donor's development in Jackson County, Texas 2.5 miles north of Point Comfort. All construction and design work will be provided by the state. The estimated value of the donation is \$1,100,000.00. <i>(Replaces previously acknowledged on 2/25/2021 due to a change in scope.)</i>	\$1,100,000.00	4/01/2021
2.	KM 146 Partners, LP	Beaumont District	Chambers	The donor is donating the design and construction of a right turn lane along the eastbound IH 10 frontage road into Chambers Commons Drive and a continuous right turn lane along SH 146 southbound from Old Needlepoint Road to 1,820 feet north in Chambers County, Texas. It also includes enclosing the drainage on the west side of SH 146 along the continuous right turn lane by installing roughly 1,212 feet of 24" reinforced concrete pipe. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$1,300,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$1,300,000.00	3/19/2021
3.	Meritage Homes of Texas, LLC	Houston District	Montgomery	The donor is donating the design and construction of a traffic signal at South Pine Lake Road and SH 105 into the donor's development in Conroe, Montgomery County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$260,000.00.	\$260,000.00	3/22/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
4.	Pulte Homes of Texas, L.P.	San Antonio District	Bexar	The donor is donating the design and construction of a Flying "T" intersection on Loop 1604 at Stillhouse Hollow in San Antonio, Bexar County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$240,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$240,000.00	3/24/2021
5.	SA Landon Ridge, LP	San Antonio District	Bexar	The donor is donating the design and construction of a left turn lane, right turn lane and signalization on FM 1957 approximately 0.40 miles west of SH 211 in Bexar County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$490,000.00. <i>(Replaces previously acknowledged for Mosaic Land Development, LLC on 2/25/2021 due to a change in donor.)</i>	\$490,000.00	3/10/2021
6.	TC Pursuit Services, Inc.	San Antonio District	Bexar	The donor is donating the design and construction to modify the traffic signal at W. Loop 1604 frontage road and Lockhill Selma Road in Bexar County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$130,000.00.	\$130,000.00	3/28/2021
7.	TC Pursuit Services, Inc.	San Antonio District	Bexar	The donor is donating the design and construction of a traffic signal S. IH 35 frontage road approximately 0.15 miles south of Fischer Road in San Antonio, Bexar County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$380,000.00.	\$380,000.00	3/28/2021
8.	Vaquero Lindsay Partners, LP	Wichita Falls District	Cooke	The donor is donating the design and construction of a left turn deceleration lane at a crossover on westbound US 82 for accessing the Dollar General in Lindsay, Cooke County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$35,000.00.	\$35,000.00	3/19/2021

**EXHIBIT B
DONATIONS
April 29, 2021**

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION
1	Redpoint Insurance Group, LLC	Austin	Travis	The donor is donating \$1,440.00 under the Sponsor a Highway Program for a period of 2 years. This is a new contract on an existing sign location.
2	Total Men's Primary Care	Austin	Travis	The donor is donating \$1,440.00 under the Sponsor a Highway Program for a period of 2 years. This is a contract renewal on an existing sign location.
3	Kidd Roofing	Dallas	Dallas	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
4	Total Men's Primary Care	Dallas	Dallas	The donor is donating 1 miles of litter pick up per month for 2 years under the Sponsor A Highway Program
5	A-Tex Roofing & Remodeling, Inc.	San Antonio	Bexar	The donor is donating 7 miles of litter pick up per month for 2 years under the Sponsor A Highway Program
6	Vista Verde Group, Inc, dba Aldaco's Mexican Cuisine	San Antonio	Bexar	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program